

**TOWN OF BUCKEYE
COUNCIL RETREAT
SATURDAY APRIL 16, 2005
MINUTES**

**Cocina Restaurant
Raven Golf Club – Verrado
4242 N. Golf Drive
Buckeye, AZ
8:00 a.m.**

**8:00 A.M. WORKING BREAKFAST
LEGAL AND POLICY ELEMENTS TO COMMUNITY PLANNING AND ZONING
By Scott Ruby and Chris Schmalz**

- 1. General Plan** (*ARS 9-461 et seq.*)
 - 1A. “General Plan” – Municipal statement of land development policies**
 - 1B. General Plan Amendments** (*ARS 9-461.06*)
- 2. Municipal Zoning** (*ARS 9-462 et seq.*)
 - 2A. Zoning**
 - 2B. Zoning Amendments** (*ARS 9-462.02, 9-462.04*)
- 3. Annexation** (*ARS 9-471 et seq.*)
 - 3A. Extending existing Town limits**
 - 3B. Process**
- 4. Sources of Municipal Liability**
 - 4A. Enabling Authority**
 - 4B. Procedural Considerations**
 - 4C. Constitutional Considerations**
- 5. Immunity and Individual Liability**
 - 5A. Municipal Immunity.**
 - 5B. Individual Liability**
 - 5C. Attorneys Fees**

12:00 P.M. – 1:00 P.M. LUNCH BREAK

1:00 P.M. KEEPING YOUR CITY/TOWN OUT OF HOT WATER

- 1. Introduction**
- 2. Sources of Municipal Liability**
 - 2A. Enabling Authority**
 - 2B. Procedural Considerations**
 - 2C. Constitutional Considerations**
 - (1) Takings**
 - (2) Procedural and Substantive Due Process**
 - (3) Equal Protection**

(4) 42 U.S.C. § 1983

3. Immunity and Individual Liability

3A. Municipal Immunity

(1) Ariz. Rev. Stat. § 12-820.01

(2) Ariz. Rev. Stat. § 12-820.02

(3) Ariz. Rev. Stat. § 12-820.04

3B. Individual Liability

4. Attorneys Fees

4A. State law

4B. Federal law

5. CLOSING